Summary of Local Government Legislation

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BRITISH COLUMBIA

Ministry of Community, Aboriginal and Women's Services

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USING THIS SUMMARY

This is a summary of legislation passed during the 2004 Session of the Legislative Assembly of British Columbia that may be of direct interest to local governments. This Summary is presented in 3 parts.

Part A covers 8 bills that amend local government legislation which is legislation that is the responsibility of the Ministry of Community, Aboriginal and Women's Services. Three of these bills were sponsored by the Minister of Community, Aboriginal and Women's Services, and the remaining bills were sponsored by other Ministers.

Part B covers 30 bills that do not significantly affect Ministry of Community, Aboriginal and Women's Services' legislation, but contain amendments that directly affect local governments. In some cases, a bill in this Part may also consequentially amend local government legislation.

In the description of a bill in **Parts A** and **B**, a reference to "section #" is a reference to the section of the bill (also referred to as an Act) which is making the amendments. A reference to "s. #" or "ss. #", on the other hand, is a reference to a section or sections of an existing statute or Act that is being amended. To illustrate - **sections** of Bill 36, *Community Aboriginal and Women's Services Statutes Amendment Act, 2004* , make amendments to **ss.** of the existing *Local Government Act*.

The information in **Parts A** and **B** as to the "in force" dates of the bills reflects the status of those bills as of March 31, 2005.

Part C provides an index to Ministry of Community, Aboriginal and Women's Services' local government legislation according to the Act and section amended by 2004 legislation.

This Summary provides a brief description of bills passed in 2004 that directly affect local governments. For a complete listing and the full text of all bills introduced or passed in that Session, go to the Legislative Assembly of British Columbia web site at: http://www.legis.gov.bc.ca/legislation/index.htm.

The information in this Summary is provided as a guide for convenience only; while best efforts have been used in its preparation, it should not be relied on for accuracy.

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PART A – Amendments to Local Government Legislation

Bill 6 Taxation Statutes Amendment Act, 2004

Sponsored by Minister of Finance

The *Taxation Statutes Amendment Act, 2004* implements a number of measures announced in the Budget for 2004/2005. Amendments contained in this Act seek to improve the fairness of the provincial tax system and clarify administrative practices under several tax statutes.

Grandparented dust and particulate matter eliminator exemptions

Section 1 amends s. 221.1 of the *Community Charter* to continue a property tax exemption for "dust and particulate matter eliminators" which were exempt in the 2003 taxation year, but that would no longer be exempt in the 2004 taxation year due to a 2003 amendment.

Increased threshold for phasing out home owner grants

Sections 5 to 8 amend several sections of the *Home Owner Grant Act* in relation to grants (in the form of a reduction in school taxes for the year) awarded to eligible residences, apartments and housing units, land cooperative residences or multi dwelling leased parcel residences. The amendments increase the threshold for reducing the grant, meaning that instead of reducing the grant proportional to the amount the residence is valued above $525,000, the grant is not reduced until the value is greater than $585,000.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov06-3.htm

S.B.C. 2004, c.28 (Section 1 deemed in force on December 31, 2003 for 2004 and subsequent taxation years; Sections 5 to 8 in force January 1, 2004)

PART A AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION

Bill 20 **Railway Safety Act**

Sponsored by Minister of Community, Aboriginal and Women's Services

The *Railway Safety Act* replaces the safety provisions of the *Railway Act*. Its goal is to enable harmonization of railway safety rules in B.C. with federal regulations and to authorize administration of rail safety to be delegated to other bodies.

Consequential amendment to the *Highway (Industrial) Act*

Section 25 adds s. 6.1 to the *Highway (Industrial) Act* stating that where a municipality (or land owner or occupant) wants to obtain a means of drainage, lay water or other pipes, through, along, on, across, or under the industrial road or land of the company, the minister may order the company to construct the drainage or pipes. This issue used to be covered by reference to now repealed sections of the *Railway Act*.

Repeal of *Railway Act*

Sections 28, 29 and 30 repeal parts of the *Railway Act*, which contained a number of sections relevant to local governments, including:

- a requirement for the minister to obtain the consent of a municipality in order to grant permission to a company to run a railway along a highway within its limits (s. 142);
- provisions dealing with the power of the minister in relation to existing crossings and the ability to order a company to construct drains or pipes (ss. 145 and 153);
- a provision relieving a company of the duty to sound a whistle or bell at a crossing if prohibited by an urban municipal bylaw as approved by the minister, with the cost of additional safety measures being borne by the municipality (s. 175);
- authority for the Lieutenant Governor in Council to make regulations limiting the number of days in a week during which employees of a street railway company may be required or permitted to work, despite any agreement between a street railway company and a municipal corporation (s. 269); and
- permission for the operation of one man cars on a track through a municipality on application to the minister, and once council was notified and allowed to make representations (s. 270).

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov20-3.htm

S.B.C. 2004, c.8 (In force April 1, 2004)

Bill 26 College and Institute Amendment Act, 2004

Sponsored by Minister of Advanced Education

The *College and Institute Amendment Act, 2004* repeals the *Institute of Technology Act* and includes the British Columbia Institute of Technology (BCIT) under the *College and Institute Act*. The object is to have a legislative structure that applies uniformly to all colleges, university colleges and institutes, thereby streamlining post-secondary education legislation.

Consequential amendments to the *Municipal Finance Authority Act*

Section 22 consequentially amends s. 1 of the *Municipal Finance Authority Act*, eliminating a reference to BCIT and the *Institute of Technology Act* in the definition of "public institution". Section 23 repeals s. 11(1)(i), which allowed the Municipal Finance Authority to enter into agreements with a public institution to provide financing in anticipation of revenues under the *Institute of Technology Act*. This is now covered under s. 11(1)(h), an identical provision referring to the *College and Institute Act*.

Repeal of *Institute of Technology Act*

Section 32 repeals the *Institute of Technology Act*, eliminating a number of provisions relevant to local governments, which are now covered in the *College and Institute Act*. These provisions deal with payment of grants to municipalities, immunity from expropriation, and a general exemption from taxation.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov26-3.htm

S.B.C. 2004, c.33 (In force June 11, 2004)

Bill 31 Nanaimo and South West Water Supply Act

Sponsored by Minister of Community, Aboriginal and Women's Services

The *Nanaimo and South West Water Supply Act* provides for the repeal of the *Greater Nanaimo Water District Act*, which established the Greater Nanaimo Water District for the purpose of supplying water in bulk to the City of Nanaimo and neighbouring communities. The Act provides that this service is assumed by the City of Nanaimo on dissolution of the Greater Nanaimo Water District.

Provisions to be detailed in regulations

The Act leaves a number of provisions to be detailed in regulations, including:

- the repeal of the *Greater Nanaimo Water District Act* (section 2);
- the circumstances in which Nanaimo may make changes to the water supply service in relation to the community of South West extension (section 4); and
- the powers of the body established under this Act or the *Community*

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Charter to provide advice to Nanaimo on the water supply service (section 5).

Transfer of service, assets and liabilities of the water district

Section 3 provides that, on the date the *Greater Nanaimo Water District Act* is repealed, the water district is dissolved, the water service is continued as a water supply service of Nanaimo, the appointment of each member of the Administration Board and the Commissioner is rescinded, and all assets, liabilities and obligations of the water district are assumed by Nanaimo.

Power to make regulations

Section 6 sets out that the Lieutenant Governor in Council may make regulations in addition to those discussed above, such as modifying or making exceptions to requirements under the *Community Charter*. This section also provides that if there is an inconsistency between this Act or its regulations and the *Community Charter* or the *Local Government Act*, this Act and the regulations prevail.

Transitional provisions

Section 7 provides that for the next two years, the Lieutenant Governor in Council may enact regulations conferring powers on Nanaimo that the water district had under the *Greater Nanaimo Water District Act*. Section 8 provides that the water district bylaws enacted under the repealed Act are deemed to be bylaws of Nanaimo, are subject to this Act, and may be amended or repealed by Nanaimo.

Reference updates

The Act also makes consequential reference updates in the *Municipal Finance Authority Act* and the *Water Act*.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov31-3.htm

S.B.C. 2004, c.25 (Sections 1 to 8 in force April 29, 2004; Sections 9 and 10 in force August 1, 2004)

Bill 32 Society Amendment Act, 2004

Sponsored by Minister of Finance

The *Society Amendment Act, 2004* makes a number of amendments to the *Society Act*. They simplify registry requirements and streamline the process, while also updating a number of provisions that are redundant due to other legislative changes. A number of the affected provisions are relevant to the *Mountain Resort Associations Act*.

Changes affecting the *Mountain Resort Associations Act*

Section 24 amends s. 6(2) of the *Mountain Resort Associations Act* that sets out which provisions of the *Society Act* apply to the Association. The amendment adds that the definition of "filed" applies for certain provisions of the *Mountain Resort Associations Act*, consequential to the addition of the definition by section 1 of this Act. Section 24 also removes a reference to Schedule A of the *Society Act*, as it was repealed by section 23 of this Act.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov32-3.htm

S.B.C. 2004, c.27 (In force November 1, 2004)

Bill 36 Community, Aboriginal and Women's Services Statutes Amendment Act, 2004

Sponsored by Minister of Community, Aboriginal and Women's Services

The *Community, Aboriginal and Women's Services Statutes Amendment Act, 2004* makes changes to five different aspects of local government legislation. The amendments seek to ensure that the legislation is flexible, clear and effective for local governments.

The first set of amendments make housekeeping changes to the *Community Charter* and the *Local Government Act*, and provide for the continued effect of interim regulations adopted under the authority of the *Community Charter Transitional Provisions, Consequential Amendments and Other Amendments Act, 2003*.

Housekeeping amendments

Section 3 amends s. 180(2) (b) of the *Community Charter*, updating references from the *Waste Management Act* and *Environment Management Act* to the *Environmental Management Act*.

Housekeeping amendments made to the *Local Government Act* by this Act include:

- updates to references in relation to the *Land Title Act* and terminology respecting buildings and other structures (ss. 420(7) and 911);
- corrections to incorrect references to a repealed Part and

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counter petition opportunities (s. 941.1); and

- updates to terminology respecting reserve funds, ensuring that any reserve fund established by a regional district prior to the repeal of the *Park (Regional) Act* is maintained under the *Local Government Act* (s. 941).

Continuation of interim regulations

There are a number of amendments in this Act providing for the continuation of interim regulations, namely:

- section 1 amends s. 59 of the *Budget Measures Implementation Act, 2003*, adding the *Community Charter* to the list of "tax Acts" for the purpose of providing retroactive effect for regulations that establish the way interest is calculated;
- section 2 amends s. 155(2) of the *Community Charter*, adding a subsection enabling municipalities to delegate the holding of a hearing either by bylaw or resolution, which was inadvertently eliminated when the *Community Charter* came into effect;
- section 5 amends s. 194(2) of the *Community Charter* allowing a council to impose terms and conditions for the payment or refund of a fee;
- section 6 amends s. 10 of the *Community Charter Transitional Provisions, Consequential Amendments and Other Amendments Act, 2003*, continuing the application of previous rules regarding cemetery and golf course valuation (tax exemption) agreements under the *Local Government Act* after their expiration; and
- sections 8 and 9 amend ss. 1 and 2(3) of the *Farm Practices (Right to Farm) Act*, correcting a technical oversight by adding references to s. 8(5) of the *Community Charter*.

Regional district services

The second set of amendments affects regional district provisions of the *Local Government Act* relating to administrative-type services (administration, electoral area administration, feasibility studies and regional hospital district services). These amendments make the following changes:

- section 11 eliminates the requirement that an establishing bylaw for administrative-type services specifies the maximum amount that may be taxed for the service and clarifies that all members of the regional district (electoral areas and municipalities) must participate in regional district administration (s. 800.1);
- section 12 provides flexibility for a regional district board to determine the appropriate division of the costs of administrative-type services amongst the participants (s. 800.2(4)); and
- section 13 eliminates a requirement that establishing bylaws for some administrative-type services be undertaken only after

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participating area approval (s. 801).

Development finance amendments

The third set of amendments make changes to the development finance system's approach to offsetting infrastructure expenditures incurred to service the needs of new developments:

- section 4 amends s. 189 of the *Community Charter* authorizing local governments to borrow money internally from one reserve fund to another and sets out the legal framework to ensure reserve fund monies will be available when needed for the original purpose;
- section 15 amends s. 933 of the *Local Government Act* authorizing local governments to waive the exemption from paying development cost charges (DCC's) for projects of under 4 units and to set a threshold higher than $50,000 for the minimum value of work on which DCC's may be imposed; and
- sections 16 and 21 parallel the "under 4" exemption waiver amendments for school site acquisition charges and the City of Vancouver

Charitable tax exemptions

The Act also makes amendments to the charitable property tax exemption provisions of the *Vancouver Charter*. Section 19 amends s. 2, clarifying that a "registered owner" means a fee simple owner. Section 20 amends s. 396(1) (c) (i), providing that a charity leasing property owned by an exempt charity would also qualify as a "registered owner" for the charitable property tax exemption.

Board of Variance size

The last amendment in this Act, contained in section 22, addresses an unintended ambiguity in the *Vancouver Charter* about the size of the City of Vancouver's Board of Variance. This amendment clarifies that the number of members to be appointed to the Board is 5, and not 6 (s. 572(1.1)).

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov36-3.htm

S.B.C. 2004, c.34 (Sections 1, 2, 5, 6, 8, and 9 deemed in force January 1, 2004;
Section 3 in force July 8, 2004;
Sections 4, 15, 16 and 21 in force September 10, 2004;
Sections 7, 10 to 14, 17 to 20 and 22 in force May 13, 2004)

Bill 54 **Miscellaneous Statutes Amendment Act (No. 2), 2004**

Sponsored by Attorney General and Minister Responsible for Treaty Negotiations

The *Miscellaneous Statutes Amendment Act (No. 2), 2004* amends a number of statutes relevant to local governments.

Changes consequential to the *Cremation, Interment and Funeral Services Act*	Sections 1 and 46 make correcting amendments to the *Cremation, Interment and Funeral Services Act* (s. 82) as it amended the *Community Charter* (s. 220(1) (g)) and the *School Act* (s. 131) in relation to the continuation of tax exemptions for cemetery lands and specified improvements.
Emergency planning for regional districts	Sections 9 and 10 amend ss. 1 and 6 of the *Emergency Program Act*. Section 9 amends the definition of "local authority" to make the regional district board the authority for the electoral areas within the regional district. Section 10 makes all regional districts responsible for emergency planning and maintaining emergency management organizations for electoral areas, and authorizes the minister to establish, by order, the date by which compliance with the requirements must be met. In the absence of such an order, section 49 sets the date for compliance with the provisions of this Act as before January 1, 2006.
Consultations with respect to gaming	Section 17 amends s. 105(1) of the *Gaming Control Act*, adding a provision specifically authorizing the Lieutenant Governor in Council to make regulations respecting consultations among affected municipalities, regional districts or first nations, and respecting time limits for objections to be filed by these groups under the Act.
Bylaw authority in relation to flood plains	Sections 26 and 27 amend s. 910 of the *Local Government Act* in relation to local government flood plain authority by: • setting out the basis on which a flood plain bylaw may vary; • authorizing local governments to make site-specific exemptions from flood plain bylaws and the application of s. 910(4) if the use is consistent with provincial guidelines or is certified by a specified professional; and • requiring local governments to consider Provincial guidelines in adopting flood plain bylaws or making an exemption.

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Section 33 adds s. 15 to the *Municipalities Enabling and Validating Act (No. 3)*, retroactively validating and confirming bylaws under s. 910 of the *Local Government Act* adopted prior to November 17, 2003, and actions taken under those bylaws. Section 50 is a transitional provision, continuing exemptions given by the minister under s. 910(6) of the *Local Government Act* (before its repeal) for a maximum of one year from May 20, 2004.

Validation of Whistler bylaws respecting Nita Lake development

Section 33 adds s. 14 to the *Municipalities Enabling and Validating Act (No. 3)* to validate bylaws of the Resort Municipality of Whistler that relate to the development of a hotel and rail station at Nita Lake despite a court decision finding the zoning bylaw to be beyond the scope of Whistler's authority under the *Local Government Act*.

Repeal of *Railway Act* corporate power provisions

Section 41 repeals a number of sections of the *Railway Act* consequential to the repeal of the Act's incorporation provisions, including a number of sections relevant to local governments. Repealed sections include s. 82 setting out that municipal corporations may take shares of a railway company, s. 94 providing for representation of municipal corporations through a position as director, and s. 115 setting out requirements for municipalities acting as shareholders.

Fighting in public places

Section 47 amends s. 319 of the *Vancouver Charter*, providing the City of Vancouver with the authority to adopt a bylaw regulating street fighting and fighting in other public places.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov54-3.htm

S.B.C. 2004, c.51 (Sections 1 and 46 in force July 4, 2004;
Sections 9, 10, 17, 25, 26, 33, 41, 47 and 49 in force May 20, 2004;
Section 27 in force July 8, 2004;
Section 50 deemed in force November 17, 2003)

Bill 74 Miscellaneous Statutes Amendment (No.3), 2004

Sponsored by the Attorney General and Minister Responsible for Treaty Negotiations

This Act repeals or makes amendments to a variety of statutes on behalf of several ministers. Changes of particular interest to local governments include amendments to the *Community Charter*, the *Vancouver Charter*, and *Municipalities Enabling Validating Act (No. 3)*. It also amends the *Police Act*.

Amendments to the *Community Charter*	Sections 1 to 3 amend *Community Charter* ss. 220 (1) (j) and 224 (2) (j) to ensure continuity of permissive tax eligibility for community care facilities and registered assisted living residences operating under the *Community Care and Assisted Living Act*. Section 5 replaces an interim regulation that was adopted to address the issue.
Changes to the Municipalities Enabling Validating Act (No. 3)	Section 19 corrects a cross reference error. *Municipalities Enabling Validating Act (No. 3)* s. 15 was added in Spring 2004 to validate flood plain bylaws of local governments. The amendment to s. 15 corrects an internal cross reference error that resulted from the renumbering of the bill in which the Spring 2004 amendment was contained.
Amendments to the *Police Act*	Section 31 amends s. 68.1 of the *Police Act* to provide statutory immunity to directors of a designated service provider, that is providing an information management system to a law enforcement service
Amendments to the *Vancouver Charter*	Section 38 amends s. 2.1 to clarify that the provisions of the *Community Charter* and the *Local Government Act* that apply to the City of Vancouver also include the relevant definitions.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov74-3.htm

S.B.C 2004 c.67 (Sections 1 and 3 in force May 14, 2004
Section 2, 4, 5, 31, 38 effective October 21, 2004
Section 15 in force January 30, 2004
Section 37 effective June 15, 2004)

PART B – Other Legislation Affecting Local Governments

Bill 2 Business Practices and Consumer Protection Act

Sponsored by Minister of Public Safety and Solicitor General

The *Business Practices and Consumer Protection Act* replaces several statutes including the *Consumer Protection Act, Cost of Consumer Credit Disclosure Act, Credit Reporting Act, Debt Collection Act, Trade Practice Act,* and *Travel Agents Act.* It also replaces provisions of the *Cemetery and Funeral Services Act* and provides for administration by the Business Practices and Consumer Protection Authority. A few of its provisions directly affect municipalities.

To whom reports may be given

Section 108 authorizes a reporting agency to provide credit information regarding an individual to a municipality or an agent of the municipality.

Repealed acts

Section 212 repeals a number of Acts, including the *Consumer Protection Act* and the *Trade Practices Act*. *Consumer Protection Act* s. 69 and *Trade Practices Act* s. 32 were relevant to local governments as they stated that a contravention of the Act meant that a licence or registration issued under another Act could be suspended, revoked or cancelled. These provisions were not replaced in the *Business Practices and Consumer Protection Act* as they were considered unnecessary given the authority contained in the *Community Charter*.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov02-3-toc.htm

S.B.C. 2004, c.2 (In force July 4, 2004)

Bill 3 — Cremation, Interment and Funeral Services Act

Sponsored by Minister of Public Safety and Solicitor General

This Act replaces the *Cemetery and Funeral Services Act* and is companion legislation to the *Business Practices and Consumer Protection Act*. It establishes rules in relation to the operation of cemeteries, mausoleums, columbariums, and crematoriums.

Local government authorization	Section 23 requires a certificate of public interest to be obtained in order to establish or enlarge a place of interment. Section 24 sets out that for the purposes of a certificate of public interest regarding land within a designated area (defined in section 21 as being the area within a municipality or regional district), the director may only issue the certificate if they have received confirmation that the use is permitted by the bylaws of the municipal council, regional board or local trust committee.
Care funds	Section 28 permits the director to order a place of interment maintain a care fund, which, in the case of a municipality, regional district or improvement district, must be administered in accordance with the regulations. Section 29 states that a municipality, regional district or improvement district administering its own care fund is deemed to be the trustee of the care fund and must administer it in accordance with the regulations, the *Trustee Act* and the rules set out in this section.
Local government operations	Section 37 sets requirements for how a place of interment or a crematorium operated by a municipality, regional district or improvement district must be run. The local government must incorporate a company under the *Local Government Act*, establish itself as a board of trustees, or appoint a board of trustees, and may enter into an agreement with another local government for the ownership or operation of the place of interment or crematorium. Section 70 is a transitional provision that continues a board of trustees appointed under the municipal cemetery operation provisions of the former Act. Section 85 amends the definition of "local government body" in the *Freedom of Information and Protection of Privacy Act* to include a board of trustees established under this Act.
Property tax exemptions	Section 82 repeals and replaces s. 220(1)(g) of the *Community Charter* consequential to the enactment of the *Cremation, Interment and Funeral Services Act*. It updates terminology, providing a statutory tax exemption to cemeteries, mausoleums and columbariums. Section 89 makes a parallel change to s. 15(1)(d) of the *Taxation (Rural Area) Act*. Section 83 repeals and replaces s. 225(2)(d) of the *Community Charter*, updating the definition of eligible cemetery property to include mausoleums and columbariums.

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Consequential amendments to the *Local Government Act*

Section 87 updates the definition of "municipal public officer" in s. 287(1)(p) of the *Local Government Act* to include a member of the board of trustees under the *Cremation, Interment and Funeral Services Act* for the purposes of personal liability protection. Section 88 repeals s. 797.1(2), a duplicate provision that gave the board of trustees established under the *Cemetery and Funeral Services Act* the same powers and limitations as a municipal council under that Act.

Consequential amendments to the *Vancouver Charter*

Sections 90 to 94 of this Act make consequential changes to the *Vancouver Charter*, including:

- adding mausoleums and columbariums to the list of things for which a council may operate, regulate, establish terms and conditions, and acquire real property (s. 331);
- providing a tax exemption for real property being used for a mausoleum and columbarium (s. 396(5)(b)(iii)); and
- eliminating the city's duty to bury unclaimed bodies (s. 484).

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov03-3.htm

S.B.C. 2004, c.35 (In force July 4, 2004)

Bill 5 **Budget Measures Implementation Act, 2004**

Sponsored by Minister of Finance

The purpose of this Act is to implement a number of measures announced in the Budget for 2004/2005. It amends several acts to improve transparency and accountability.

Repeal of several acts

Section 25 repeals the obsolete *Home Conversion and Leasehold Loan Act, Home Mortgage Assistance Program Act, Home Purchase Assistance Act, Homeowner Interest Assistance Act*, and the *Provincial Home Acquisition Act* as of March 31, 2004 because none of the programs under these Acts is operating except with respect to prior loans and financial assistance provided. Section 27 repeals s.12(5) of the *Local Government Act* consequential to the repeal of the *Home Purchase Assistance Act*.

Provisions continued

Sections 20 to 23 retain provisions from the repealed Acts to facilitate administration and collection of loans and assistance that have been provided under the Acts.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov05-3.htm

S.B.C. 2004, c.14 (Section 20 to 23 and 27 in force April 1, 2004; Section 25 in force April 29, 2004)

Bill 8 **Ports Property Tax Act, 2004**

Sponsored by Minister of Finance

This Act creates the *Ports Property Tax Act* to support British Columbia's port facilities.

Property tax rate caps	Section 3 sets a cap for municipal tax rates in relation to designated eligible port properties. Section 4 allows the Lieutenant Governor in Council to provide by regulation that new investment in improvements be subject to an even lower tax rate cap, as set in the legislation, with the purpose being to encourage new investment while protecting municipal revenue. These regulations may be made effective for the 2004 tax year.
Compensation to local governments	Section 5 authorizes payment to compensate municipalities affected by the tax rate restriction. The municipalities affected are the District of Delta, the City of North Vancouver, the District of North Vancouver, City of Port Moody, City of Prince Rupert, District of Squamish and the City of Vancouver.
Amendment of 2004 taxation rate	Section 7 is a transitional provision which provides that despite the *Community Charter* and the *Vancouver Charter*, a municipality is authorized to amend its 2004 property value tax rates to comply with a regulation under this Act that designates a port property as an eligible port property.
Exemption regulations under *Local Government Act* and *Community Charter* apply	This Bill also makes consequential amendments to legislation for which MCAWS is responsible. Sections 8 and 9 are consequential amendments that ensure that regulations providing for port exemptions under the *Local Government Act* or the *Community Charter* applied and continue to apply to the City of Vancouver.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov08-3.htm

S.B.C. 2004, c.7 (In force March 31, 2004)

Bill 12 Education Statutes Amendment Act, 2004

Sponsored by Minister of Education

The *Education Statutes Amendment Act, 2004* amends the *Independent School Act* and the *School Act* in order for school districts to comply with generally accepted accounting principles (GAAP). It also makes corrections to references in the *Independent School Act* and the *School Act* to the minister of finance and the minister of revenue.

Elimination of requirement to use trust funds

Section 4 eliminates the requirement in the *School Act* s.98 that expenses related to agreements between municipalities or regional districts and school boards for joint board and community use of facilities be accounted for through a separate trust fund. GAAP requires these expenses to be reported with other operating expenses.

Section 7 eliminates the requirement in the *School Act* that money provided to a board by a local government under the *Local Government Act* be deposited in a trust fund. GAAP requires this to be recorded as a deferred capital contribution.

Reference changed from "minister of finance" to "minister of revenue"

Section 15 changes a reference in s. 121 of the *School Act* from the "minister of finance" to the "minister of revenue". That section sets out that when adjustments are made where the *Community Charter* applies, amounts to be raised by taxation may be adjusted in the manner directed by the minister of revenue.

Reference changed from "minister of revenue" to "minister of finance"

Section 16 changes several references in the *School Act* from the "minister of revenue" to the "minister of finance". This clarifies that municipalities must pay all taxes, penalties, and interest they collect on behalf of the government under the *School Act* to the minister of finance. Interest on municipalities' unpaid taxes must also be paid to the minister of finance. The Lieutenant Governor in Council may make regulations providing for accounting for these payments made by municipalities to the minister of finance.

Transitional provision

Section 27 provides that sections of this Act are not applicable for the 2003-2004 fiscal year, including sections 15 and 16.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov12-3.htm

S.B.C. 2004, c.17 (Sections 4, 7, 15, 16 and 27 in force April 29, 2004)

Bill 13 **Environmental Management Amendment Act, 2004**

Sponsored by Minister of Water, Land and Air Protection

This Act makes amendments to the *Environmental Management Act*, which repealed and replaced the *Environment Management Act* and the *Waste Management Act*. This Act addresses provisions of the Act dealing with prohibitions and authorizations, as well as remediation of contaminated sites.

Regulations specify when site profile necessary	Instead of being set out in the Act, section 4 provides that situations where a site profile is required are now set out in the regulations. Previously the Act required a person to submit a site profile to a municipality when applying for zoning of land, a development permit, removal of soil, a demolition permit or a prescribed activity where the land was used for commercial or industrial activity in the past.
Regulations specify notice requirements	Section 6 eliminates from the Act the requirement for a director to give notice to a municipality of the preliminary and final determination of site contamination where the municipality forwarded a site profile to the director that was used for the determination. This requirement is now set out in the regulations.
Changes to approval required	Sections 19, 21, 22 and 25 update section references and make changes consequential to section 4 and the elimination of "final determination" in section 6. These changes are to s. 34.1(2) of the *Island Trust Act*, s. 946.1(2)(b) and s. 946.2(2) of the *Local Government Act* and s. 571B(2) of the *Vancouver Charter*.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov13-3.htm

S.B.C. 2004, c.18 (In force by regulation)

Bill 15 — Sustainable Resource Management Statutes Amendment Act, 2004

Sponsored by Minister of Sustainable Resource Management

The *Sustainable Resource Management Statutes Amendment Act, 2004* is part of the government's deregulation initiative and seeks to improve efficiency of administrative procedures and decision making.

Simplification of *Assessment Act* procedures	Section 3 removes the requirement in s. 7(1) of the *Assessment Act* for an assessor to make a statutory declaration on completion of the assessment role. Section 4 repeals and replaces s.9, removing the requirement for the assessor's certification to be in the prescribed form and attached to the completed assessment roll. Now it must simply be stated in writing that the requirements of the Act were met.
Reference update	Section 29 makes housekeeping amendments to s. 946(5) and (8) of the *Local Government Act*, updating a section reference to the *Agricultural Land Commission Act*.
Minister's power to delegate	Section 35 adds s. 15.1 to the *University Endowment Land Act*, empowering the minister to delegate their powers to any person, except for the power to make bylaws applicable to the University Endowment Lands.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov15-3.htm

S.B.C. 2004, c.12 (In force March 31, 2004)

Bill 16 — Water, Land and Air Protection Statutes Amendment Act, 2004

Sponsored by Minister of Water, Land and Air Protection

This Act amends the *Ecological Reserve Act*, *Environmental Management Act*, *Integrated Pest Management Act*, *Park Act* and *Wildlife Act*. It standardizes limitation periods for prosecuting offences under the acts and clarifies the role of conservation officers.

Inspectors and offences under the *Integrated Pest Management Act*	Section 11 repeals and replaces part of s. 20 of the *Integrated Pest Management Act* relating to the powers of inspectors who are appointed by the minister or administrator and who may be employees of local government. The amendment clarifies that there are different procedures that apply in relation to items seized where an offence is suspected, as opposed to items taken during the course of an inspection. Section 12 repeals and replaces s. 29 of the same Act, establishing a consistent time limit for prosecutions under the Act.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov16-3.htm

S.B.C. 2004, c.30 (Sections 11 and 12 in force December 31, 2004)

Bill 25 — Wildfire Act

Sponsored by Minister of Forests

The *Wildfire Act* was created to cover the specialized subject of wildfire prevention and control. It carries forward, and adds to, fire prevention and control that was in the *Forest Practices Code of British Columbia Act*, and takes into consideration recommendations of the Filmon report.

Use of open fires	Section 4 states that sections 5 and 6 of this Act (dealing with non-industrial use of open fires and industrial activities) do not apply inside the boundaries of the City of Vancouver or a municipality. They also do not apply to other local governments (defined in section 1 as meaning the City of Vancouver, a municipality, regional district, improvement district, water improvement district, or a prescribed organization) if that local government has a bylaw relating to the lighting, fuelling or use of open fires.
Government may carry out fire control	Section 9 provides that, at the request of a local government, the government may enter on land and carry out fire control within the local government's boundaries and jurisdiction. This was covered in the *Forest Practices Code of British Columbia Act* before the sections were repealed by this Act.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov25-3.htm

S.B.C. 2004, c.31 (In force March 31, 2005)

Bill 27 — Agricultural Land Commission Amendment Act, 2004

Sponsored by Minister of Sustainable Resource Management

This Act amends the *Agricultural Land Commission Act* which provides tools for local governments and the Agricultural Land Commission to preserve farmland and plan for agriculture.

First Nation governments

Specifically, the amendments provide First Nations who have ratified agreements in principle with similar rights and obligations as local governments under this Act. This means that First Nation governments do not need to submit applications for inclusion, exclusion, non-farm use or subdivision of an Agricultural Land Reserve to a local government for approval. This Act recognizes First Nations with an approved agreement in principle or a final treaty agreement as a government with jurisdiction in relation to their treaty settlement lands by giving them the same rights and powers as local governments under the Act.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov27-3.htm

S.B.C. 2004, c.32 (In force July 23, 2004)

Bill 28 — Coal Act

Sponsored by Minister of Energy and Mines

This Act repeals and replaces the *Coal Act*, eliminating overlap and duplication and simplifying the administration of coal tenure. One area where duplication was eliminated involves the prohibition on exploring, developing or producing coal within the boundaries of a park unless authorized by the Lieutenant Governor in Council on the recommendation of the person, corporation, municipality or government responsible, as this is also contained in the *Park Act*.

Right of entry

Section 2 states that a land use designation or objective does not preclude application by a recorded owner for any form of application or approval required in relation to mining activity, unless the location is designated as a park under the *Park Act* or a regional park under the *Local Government Act*. This section also continues a provision from the old *Coal Act* which provided that the right of a free miner to enter, use and occupy land does not extend to protected heritage property, except as authorized by the minister or local government responsible for the protection of the property.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov28-3.htm

S.B.C. 2004, c.15 (In force June 11, 2004)

Bill 30 **Passenger Transportation Act**

Sponsored by Minister of Transportation

This Act replaces the *Motor Carrier Act* and establishes a new regulatory scheme for commercial passenger carriers. The *Motor Carrier Act* had not been significantly changed since it was enacted in 1939, so this Act was introduced to modernize regulation of the commercial transportation industry, while also maintaining safety standards and providing benefits to small businesses in B.C.

Inter-city buses

Section 1 enacts definitions for new classifications created under this Act. This includes an "inter-city bus" which is a commercial passenger vehicle operated on a set time schedule between any prescribed municipality or regional district in B.C. and any other location, with individual fares, over a regular route and between fixed terminating points. Section 59 gives the Lieutenant Governor in Council the authority to make regulations prescribing municipalities or regional districts in B.C. for the purposes of the "inter-city bus".

Consequential updates

Section 71 is a consequential amendment to s. 34(1) of the *Greater Vancouver Transportation Authority Act*. It updates a reference in relation to exemptions for the Authority or a municipality from taxation, payment of fees or licensing requirements. Section 78 is a consequential amendment that updates references in s. 317(1) of the *Vancouver Charter*.

Repeal of *Motor Carrier Act*

Section 75 repeals the *Motor Carrier Act*, including a number of provisions relevant to local governments, such as:

- an exception from the requirement to have a municipal licence if a person was operating a private vehicle, scheduled bus or commercial passenger vehicle in a municipality on arterial highways (s. 15);
- a prohibition against the commission setting a higher speed limit than that set by the legislature or bylaw of a municipality (s. 39(6));
- permission for disputes between a motor carrier and a municipality regarding the use of a highway to be referred to the commission (s. 41); and
- the requirement for a privilege, concession or franchise granted by a municipality to a person in relation to a scheduled bus to be approved by the commission if it is for greater than one year (s. 60).

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov30-3.htm

S.B.C. 2004, c.39 (Sections 1 and 59 in force June 11, 2004; Sections 71, 75 and 78 in force June 28, 2004)

Bill 33 **Forests Statutes Amendment Act, 2004**

Sponsored by Minister of Forests

The *Forests Statutes Amendment Act, 2004* is part of a broader initiative intended to revitalize B.C.'s forest sector. It makes amendments to a number of acts, namely the *Forest Act*, the *Forest and Range Practices Act*, the *Forests Statutes Amendment Act, 2004*, and repeals the *Forest Practices Code of British Columbia Act*.

Amendments to the *Forest Act* include changes affecting community forest agreements, which are the forest tenures under which community forests are often held. These community forests are generally managed by a local government, community group, First Nation or community-held corporation for the benefit of the entire community.

Allowable annual cut	Several of the amendments relate to a change made by section 1 to s. 1 of the *Forest Act* that affects community forest agreements by making the rate of timber harvesting the allowable annual cut as determined under the Act.
Probationary community forest agreements	Section 21 adds s. 43.2 to the *Forest Act*, authorizing the minister (or a person authorized by the minister) to invite applications for a probationary community forest agreement, and to enter into such an agreement with the successful applicant. The agreement may only be entered into with certain applicants, including a municipality or regional district. Section 23 adds several sections to the *Forest Act* providing for the direct award of probationary community forest agreements in the way the Act used to provide for community forest pilot agreements (ss. 43.51, 43.52 and 43.53).
Deletion of land from community forest agreement or decrease in allowable annual cut	There are a number of Forest Act amendments dealing with the deletion of Crown land or a decrease in the allowable annual cut for a community forest agreement, and the compensation that must be awarded, including: • re-enacting the section providing this authority, the requirement for notice to be given and the circumstances under which compensation is required (s. 60); • setting a limit on the compensation payable as a result of either action (s. 80); • providing for a decrease in allowable annual cut as a result of specification of a designated area (s. 173); and • setting out the compensation payable to the holder of an agreement as a result of specification of a designated area (ss. 175.1 to 175.4). Section 144 provides that the revised compensation regime does not affect current holders of an agreement under the *Forest Act* (including

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community forest agreements). Instead their compensation due to a deletion of land or decrease in allowable annual cut will continue to be governed by s. 60 as it read before amended.

Cancellation of agreement

Section 53 adds that the minister may cancel a community forest agreement if there is a suspension of the agreement.

Calculation of annual rents

Section 61 amends s. 112, of the *Forest Act* providing for the calculation of annual rent in relation to community forest agreements in a manner consistent with the calculations for tree farm and woodlot licences.

Forest stewardship plans

Sections 78 to 84 make amendments to forest stewardship plans which are required for community forest agreements under the *Forest and Range Practices Act*. The amendments expand the circumstances in which a person will not need to prepare a forest stewardship plan, clarify that the results and strategies have to be consistent with the government's objectives, and clarify provisions relating to mandatory amendments.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov33-3.htm

S.B.C. 2004, c.36 (Sections 1, part of 23 that enacts sections 43.52 and 43.53 of the *Forest Act*, 38, 53, 55, 61, 74, 75, 82 and 144 in force May 13, 2004;
Sections 21, 22 and part of 23 that enacts section 43.51 of the *Forest Act*, in force July 23, 2004;
Sections 79, 80, 81, 83, 84 in force December 13, 2004;
Section 78 in force by regulation)

Bill 34 **Provincial Revenue Statutes Amendment Act, 2004**

Sponsored by Minister of Provincial Revenue

The *Provincial Revenue Statutes Amendment Act, 2004* makes changes to taxation and revenue statutes to help achieve the goal of fair, efficient and equitable administration of taxation and collection of outstanding moneys due to British Columbians. Of interest to local governments are amendments to the *Land Tax Deferment Act* and the *Taxation (Rural Area) Act*. These amendments update terms and definitions and remove spent provisions in order to streamline property tax administration.

Updated definitions	Section 25 amends s. 1 of the *Land Tax Deferment Act*, re-enacting the definition of "eligible property" in accordance with the current practice that tax deferment is not permitted for farm, commercial, industrial or vacant properties and that there is no size limit on residential properties that may be eligible for tax deferment. Section 26 and 27 repeal ss. 3(2) and 4(1)(b) consequential to the removal of the eligibility of vacant property for tax deferment under the Act. Section 1 also re-enacts the definition of "tax" in accordance with current practice that tax deferment is not permitted for unpaid utility user fees. Tax includes a tax levied by a municipality or the Crown.
Liens on manufactured homes	Section 32 amends s. 11 of the *Land Tax Deferment Act*, providing consistency between the liens created in relation to manufactured homes and those created in relation to other eligible property.
Updating of the *Taxation (Rural Area) Act*	There are a number of amendments made to the *Taxation (Rural Area) Act* that ensure consistency with other acts, remove outdated provisions and make changes to streamline processes. These amendments include: • updating the definition of "assessment roll" so that it is consistent with the *Assessment Act* (s. 1); • repealing offence provisions that are no longer operative as they have effectively been replaced by provisions of the *Assessment Act* (ss. 5(a), (b), (e) and s. 6); • repealing outdated provisions relating to ownership of highways in municipalities and the cancellation of uncollectable taxes (ss. 43 and 54); and • removing the requirements for the assessor to act by certificate, and for the apportionment of values between separate parts of subdivided parcel land be approved by a review panel (s. 47(1)).

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov34-3.htm

S.B.C. 2004, c.40 (In force May 13, 2004)

Bill 41 Real Estate Services Act

Sponsored by Minister of Finance

The *Real Estate Services Act* provides a modernized framework for the licensing and regulation of persons providing real estate services in British Columbia. This Act, together with the *Real Estate Development Marketing Act*, replace the *Real Estate Act*.

Municipal licences	Section 124 states that a municipality must not impose a licence fee or tax for carrying on the licensee's real estate business, unless the licensee occupies or uses premises in the municipality. This same provision was present in s.56 of the *Real Estate Act*.
Repeal of *Real Estate Act*	Sections 146 and 147 repeal the *Real Estate Act* and the Supplement. Part 2 of the *Real Estate Act* had provided that a municipal council or regional board was the approving authority for applications involving the sale of subdivided or strata lots by developers. This is now covered in the *Real Estate Development Marketing Act*, enacted by Bill 42.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov41-3.htm

S.B.C. 2004, c.42 (In force by regulation)

Bill 42 Real Estate Development Marketing Act

Sponsored by Minister of Finance

This Act replaces Part 2 of the *Real Estate Act*. It is companion legislation to the *Real Estate Services Act* and simplifies the requirements developers must meet before marketing development property.

Approving authority and officer	Section 1 sets out the definition of "approving authority" as being a municipal council, regional district board, Nisga'a Village Government, Nisga'a Lisims Government, or a local government body with similar authority. This section also defines "approving officer" as being the same as under the *Land Title Act*, which includes a municipal, regional district, islands trust, provincial or Nisga'a approving officer.
Approval of approving officer	Section 4 sets out that a developer must not market a subdivision lot or bare land strata lot unless a plan has been deposited in the land title office or the approving officer has given preliminary layout approval.

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Approval of municipal or local government	Sections 5 to 9 provide that a developer must not market a strata lot or leasehold unit, cooperative interest, time share interest or shared interest in land inside or outside B.C. unless certain conditions are met, including a specified approval from the appropriate approving officer, municipal or other government authority. Section 10 states that a developer may not market a development unit early unless they have approval from the appropriate municipal or other government authority, and the Superintendent of Real Estate.
Consequential reference updates	Section 56 is a consequential amendment to s. 29(1)(c) of the *Islands Trust Act*, updating terminology so that a local trust committee has all the power and authority of a regional district board under the *Real Estate Development Marketing Act*. Section 60 updates a reference in s. 11 of the *University Endowment Land Act*.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov42-3.htm

S.B.C. 2004, c.41 (In force January 1, 2005)

Bill 44 **Correction Act**

Sponsored by Minister of Public Safety and Solicitor General

This Act re-enacts the *Correction Act*. Changes important to local governments involve renumbering of relevant sections.

New section numbers	Section 11 deals with detention agreements, which were previously covered in s. 13 of the *Corrections Act*, while section 32 deals with shared facility agreements, previously covered in s. 13.1. Detention agreements are agreements between the province and a municipality for the detention of persons in a correctional centre or municipal lock up, and the reimbursement of costs by the municipality or the province, as appropriate. Shared facility agreements are agreements with the City of Vancouver for the operation, use and reimbursement of costs of the correctional centre also used for detention of police prisoners.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov44-3.htm

S.B.C. 2004, c.46 (Section 1-35 in force April 18, 2005)

Bill 47 **Transportation Act**

Sponsored by Minister of Transportation

The *Transportation Act* consolidates key highway legislation, replacing the *Build BC Act*, the *Highway Act*, the *Highway Scenic Improvement Act*, and the *Ministry of Transportation and Highways Act*. It reduces regulatory requirements, updates language and provides consistency in the legislation.

Definitions for local governments	Section 1 of the *Transportation Act* sets out the definitions to be used in the Act. Of interest to local governments are the definitions of "municipal highway", "municipality", "Provincial public highway", "regional district" and "rural highway".
B.C. Transportation Financing Authority	Section 26 sets out the purpose of the B.C. Transportation Financing Authority continued under this Act, as having powers in relation to transportation infrastructure, but excluding municipal highways.
Relationship between minister and local governments	There are a number of provisions affecting the relationship between the minister and local governments, including: • authority for the minister to enter into arrangements or agreements with a local government body (sections 2 and 52); • authorizing direct disposal of property to municipalities, regional districts and the Greater Vancouver Transportation Authority in some circumstances (section 13); and • that the minister has all the rights, powers and advantages in relation to an arterial highway that a municipality had before an arterial highway was designated as such (section 47).
Arterial highways	Section 45 states that the Lieutenant Governor in Council may designate as an arterial highway any land or improvement in a municipality that has been expropriated, a municipal highway that has been resumed under s. 35 of the *Community Charter*, or any land or improvement referred to in s. 35(2)(a) to (f) or (j) of the *Community Charter*.
Consultations with municipalities	Section 46 states that before a designation is made under section 45, the minister must consult with the municipality in which the land, improvement or highway is located. The minister must also consult with the municipality in which a forest service road is located if there are plans to cease its use as such and designate it as an arterial highway (section 56).

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Development near controlled access highway	Section 52 provides authority for the minister to enter into an agreement with the municipality or regional district within which a controlled area is located. A zoning bylaw of the municipality or regional district does not apply in a controlled area unless it is in compliance with the agreement or has received approval of the minister. A controlled area covers land or improvements within an 800 metre radius of the intersection of a controlled access highway.
Garbage removal remedial action	Section 55 deals with garbage located on a highway designated by the Minister as a scenic highway in a municipality, regional district, or elsewhere, stating that a municipal council or regional district board or the minister may send notice ordering remedial action to the owner and may recover its costs if it has to undertake the remedial action. This section does not limit a local governments authority under other Acts (e.g. *Community Charter*)
Seizure of vehicles or things	Section 68 states that the minister, Provincial or municipal police force may seize and dispose of a vehicle or thing on a provincial public highway in specified circumstances. Section 86 limits liability in cases where such a seizure is made so the minister, municipality or regional district may not be held liable for any claim in damages that may arise if disposal is carried out in accordance with this Act.
Consequential amendments to the *Community Charter*	This Act makes a number of consequential amendments to the *Community Charter*: • reference and definition updates (ss. 35(6), (9) and (10), 36(2)(c), s. 40(8), 41(3) and s. 1 of the Schedule); • addition of a subsection limiting liability if a thing is seized by a municipal council in accordance with a bylaw and is disposed of in accordance with the *Community Charter* (s. 46).
Reference updates in other acts	Sections 109 to 113, 122, 126 to 128, 143, 145, 151, 160 and 161 make consequential amendments that update references in several Acts relevant to local governments, including the *Local Government Act*, *Municipal Aid Act*, *Greater Vancouver Transportation Authority Act*, *Land Title Act*, *Motor Vehicle Act* and *Vancouver Charter*.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov47-3.htm
S.B.C. 2004, c.44 (In force December 31, 2004)

Bill 50 — Parks and Protected Areas Statutes Amendment Act, 2004

Sponsored by Minister of Water, Land and Air Protection

This Act establishes and adds to a number of parks and ecological reserves around British Columbia as part of the government's goal to improve the Province's park system. It also amends the descriptions of several specific parks.

Collaborative agreements	Section 1 adds s. 4.1 to the *Park Act* authorizing a minister to enter into agreements with a number of different parties (including local governments) regarding the management and administration of parks and recreation areas.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov50-3.htm

S.B.C. 2004, c.52 (Section 1 in force May 20, 2004)

Bill 51 — Wildlife Amendment Act, 2004

Sponsored by Minister of Water, Land and Air Protection

The *Wildlife Amendment Act, 2004* creates a clear distinction between "species at risk" and "wildlife" so that protection of species at risk at the provincial level is similar to that provided in the federal *Species at Risk Act*.

Application of the *Wildlife Act* to species at risk	Section 4 adds s. 6.3 to the *Wildlife Act*. This section sets out which sections of the Wildlife Act apply to species at risk. One of the sections that applies is s. 88.1(4)(c), which states that a dangerous wildlife protection order (or species at risk in this case) may not be made in relation to a facility for the disposal of waste run by a municipality in accordance with the *Waste Management Act*. *Wildlife Act* s. 111(3)(e)(ii) also applies to species at risk and states that contributions by "municipalities or others" must be paid into the Habitat Conservation Trust Fund.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov51-3.htm

S.B.C. 2004, c.56 (In force by regulation)

Bill 53 International Financial Activity Act

Sponsored by Minister of Finance

The *International Financial Activity Act* replaces the *International Financial Business Act* and the *International Financial Business (Tax Refund) Act*. It makes a number of changes, including removing the restriction that an international financial business must be located in the Greater Vancouver Regional District.

Communication of information	Section 58 provides that an "official" includes anyone who is currently or formerly employed by a municipality or a public body performing a function of government in Canada. These individuals must not provide, allow access to, or use any claimant information (meaning information about a person or director assessed a penalty under the Act) except as authorized under the Act.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov53-3.htm

S.B.C. 2004, c.49 (In force September 1, 2004)

Bill 56 Administrative Tribunals Act

Sponsored by Attorney General and Minister Responsible for Treaty Negotiations

The *Administrative Tribunals Act* is part of the legislative reform initiated to modernize British Columbia's administrative justice system. It is a comprehensive and consistent approach to the statutory powers of the many different administrative tribunals in the province. This Act repeals the *Administrative Tribunals Appointment and Administration Act*, affecting many of the tribunals and boards in the province.

Application of *Administrative Tribunals Act* to the Building Code Appeal Board	Section 111 repeals and replaces s. 693(9) of the *Local Government Act* providing that sections 1 to 8 and 10 of the *Administrative Tribunals Act* apply to the Building Code Appeal Board. These sections cover matters such as the length of term and reappointment of members and the chair, absence or incapacitation of a member or the chair, temporary appointments, powers after resignation or end of term, termination for cause and remuneration and benefits for members of the Appeal Board. These provisions are almost identical to the provisions of the now repealed *Administrative Tribunals Appointment and Administration Act* that were relevant to the Appeal Board. Section 111 also adds subsections limiting the liability of a decision maker or the Appeal Board, unless there is an element of bad faith involved in their actions.

Bill 56

Application of the *Administrative Tribunals Act* to the Expropriation Compensation Board

Sections 94 to 98 amend the *Expropriation Act*, making changes in relation to the Expropriation Compensation Board that eliminate redundancy and provide consistency with the *Administrative Tribunals Act*. One such area where consistency is achieved is through the addition of a requirement that oral hearings must be open to the public unless avoiding disclosure outweighs the desire for openness, or it is not practicable to hold the hearing open to the public. These changes are relevant to local governments as the *Community Charter*, the *Local Government Act* and the *Vancouver Charter* provide that expropriation is authorized in accordance with the *Expropriation Act*.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov56-3.htm

S.B.C. 2004, c.45 (Sections 1 to 8 and 10 in force June 30, 2004;
Section 111 in force October 15, 2004
Sections 94 to 98 in force by regulation)

Bill 58 **B.C. Rail Benefits (First Nations) Trust Act**

Sponsored by the Minister of Transportation

The Act allows for the creation of the B.C. Rail Benefits (First Nations) Trust and authorizes the B.C Rail Benefits Trust corporation to receive $15 million from the proceeds realized from the disposition of the shares and assets of British Columbia Railway Company.

Purpose of the B.C. Rail Benefits (First Nations) Trust Account

Of interest to local governments is section 9 that sets out the purpose of the B.C. Rail Benefits (First Nations) Trust Account as being to provide funding for Beneficiary First Nations' projects that advance economic development, educational advancement or cultural renewal goals.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov58-3.htm

S.B.C 2004, c. 58 (In force November 1, 2004)

Bill 59 **Northern Development Initiative Trust Act**

Sponsored by the Minister of Transportation

The *Northern Development Initiative Trust Act* creates the Northern Development Initiative Trust and authorizes the government to provide to that corporation, out of the proceeds realized from the disposition of the shares and assets of British Columbia Railway Company. This is the general appropriation authority that covers the $15 million under Bill 58, $135 million for the Northern Development Initiative Trust and the $241 million for specified purpose grants.

Establishment of regional advisory committees	Sections 2 and 3 establish for each region (namely the Cariboo-Chilcotin/Lillooet, Northwest, Peace and Prince George regions) regional advisory committees. Each initial regional advisory committee is to be comprised of: mayors of each of the municipalities that are within the region and have a population greater than 500, chairs of each regional district within the region and Members of the Legislative Assembly (MLAs) from the region. Within 6 months of the Act coming into force, each regional advisory committee must appoint 2 directors of the Northern Development Initiative Trust, determine the size and manner for appointing members to the regional advisory committee from among local government, elected officials and MLAs, and determine the role and the manner for appointing the chair of the committee.
Directors of the Northern Development Initiative Trust	Sections 5 and 6 establish the Northern Development Initiative Trust corporation and its board of directors. Thirteen individuals make up the board of directors, eight to be appointed by the regional advisory committees and five to be appointed by the Lieutenant Governor in Council
First directors of the Northern Development Initiative Trust	Section 7 states that the first directors of the Northern Development Initiative Trust will be from the Cariboo-Chilcotin/Lillooet Region, the mayors of Williams Lake and Lillooet; from the Northwest Region, the mayors of Prince Rupert and Kitimat; from the Peace Region, the mayors of Fort St. John and Fort Nelson; from the Prince George Region, the mayors of Prince George and Vanderhoof, and 5 individuals appointed as directors by the Lieutenant Governor in Council. The first directors' term of office expires 6 months after the coming into force of the Act.
Proceedings of directors	Section 10 provides that the head office of the corporation must be located in Prince George

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Purpose of accounts	Section 18 provides that the purpose of the monies held by the Northern Development Initiative Trust is to support investment in forestry, pine beetle recovery, transportation, tourism, mining, Olympic opportunities, small business, economic development and energy.
Regional advisory committees may advise on projects	Section 19 provides that each regional advisory committee may identify projects the committee considers appropriate and may make recommendations to the board of directors on project funding. The Northern Development Initiative Trust may reject the regional advisory committee's recommendations.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov59-3.htm

S.B.C. 2004, c. 69 (In force November 1, 2004)

Bill 62 **Attorney General Statutes Amendment Act, 2004**

Sponsored by Attorney General and Minister Responsible for Treaty Negotiations

This Act amends a variety of statutes that are under the stewardship of the Ministry of Attorney General. Of interest to local governments are amendments to the *Libel and Slander Act*.

Libel and Slander Act	Section 16 of the Act amends s. 6.2 of the *Libel and Slander Act* to prevent public or educational libraries from being sued for allowing public access to materials unless that access is provided in contravention of a court order.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov62-3.htm

S.B.C 2004 c. 57 (Section 16 in force October 31, 2004)

Bill 67 **Expropriation Amendment Act, 2004**

Sponsored by Attorney General and Minister Responsible for Treaty Negotiations

The *Expropriation Amendment Act, 2004* allows government to dissolve the Expropriation Compensation Board and provides for courts to have sole jurisdiction over expropriation The amendments relate only to the jurisdiction of the board and do not affect the rights or remedies of expropriating authorities

Jurisdiction of courts over expropriation matters	Section 1 amends the *Expropriation Act* to provide the courts with jurisdiction over the expropriation matters currently held by the Expropriation Compensation Board.
Power to deny requests	Section 5 amends s. 11 of the *Expropriation Act* to provide the inquiry officer power to refuse to hold a public inquiry in specified circumstances.
Consequential amendments to the Community Charter	Section 23 consequentially amends ss. 33 and 50 of the *Community Charter* to provide for Supreme Court to determine compensation if no agreement between the person claiming compensation and the municipality is reached Sections 28 and 29 and sections 36 and 37 make similar amendments to the *Local Government Act* and the *Vancouver Charter* respectively.
Consequential amendments to the Drainage, Ditch and Dike Act	Section 24 consequentially amends the *Drainage, Ditch and Dike Act* to provide for the valuation and assessment of damages by the Supreme Court.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov67-3.htm

S.B.C. 2004 c. 61 (In force March 28, 2005)

Bill 68 **Land Title and Survey Authority Act, 2004**

Sponsored by Ministry of Sustainable Resource Management

The *Land Title and Survey Authority Act, 2004* establishes the Land Title and Survey Authority of British Columbia as an independent not for profit corporation to manage, operate and maintain the land title and survey systems, to facilitate the execution of Crown grants, and to carry on other necessary or advisable activities related to land title or survey systems.

Board of directors	Section 6 provides for the Authority's board of directors to consist of 11 individuals. The board is composed of members selected from the provincial government, the Law Society of British Columbia, the Corporation of Land Surveyors of British Columbia, the First Nations Summit, the Society of Notaries Public of British Columbia, the British Columbia Real Estate Association, the British Columbia Association of Professional Registry Agents, and the Union of British Columbia Municipalities. One of the directors must be chosen from nominees made by UBCM. The chair and CEO are appointed by the board and the term of all board appointments is three years.
Persons qualified to be directors	Section 9(2) provides that an individual is not qualified to become or act as a director if that person is under the age of 18 years, not a Canadian citizen, not a resident of BC, an officer of the Authority, an elected official or employee of the government of BC, the government of Canada, a local government, a regional district, or an aboriginal organization exercising governmental functions, an officer, director or employee of a stakeholder entity, found by a court, in Canada or elsewhere, to be incapable of managing the individual's own affairs, an undischarged bankrupt, or convicted inside or outside of British Columbia of an offence in connection with the promotion, formation or management of a corporation or an unincorporated business, or of an offence involving fraud
Powers and functions of directors	Section 14 provides that directors are responsible for managing and supervising the management of the business affairs of the Authority. Directors may either exercise the powers of the Authority on behalf of the Authority or delegate the exercise or performance of any power or duty conferred or imposed on them to a committee of directors appointed by the directors or both.
Consequential amendments	Section 49 makes a number of consequential amendments to s. 57 of the *Community Charter*. The Act states that the Authority is not liable vicariously, in the event of any omission, or mistake by the registrar. An addition of a subsection provides that the assurance fund or the Authority of British Columbia as a defendant is not liable under Part 19.1 of the *Land Title Act*. This section also provides a number of terminology updates to s. 57(7)

Bill 68

Reference updates in other Acts	Sections 51, 53, 147-152, 158, 162, 163, make consequential amendments that update references in several Acts relevant to local governments including the *Drainage, Ditch and Dike Act*, *Heritage Conservation Act*, *Local Government Act*, *Mountain Resort Act* and *Vancouver Charter*.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov68-3.htm

S.B.C 2004 c. 70. (Sections 1 -82 in force by regulation
Sections 83 and 12 in force January 1, 2004
Sections 138 and 141 in force April 1, 2006
Sections 171 and 172 in force January 21, 2005)

Bill 71 **Safe Streets Act, 2004**

Sponsored by Attorney General and Minister Responsible for Treaty Negotiations

The *Safe Streets Act 2004* makes it an offence to solicit in an aggressive manner or solicit to a captive audience.

Definition of "solicit"	Section 1 defines solicit as communicating for the purpose of receiving money or something of value.
Solicitation in aggressive manner prohibited.	Section 2 prohibits solicitation in a manner that would cause a reasonable person to be concerned for the solicited person's safety or security. Section 2(2) prohibits solicitation that involves obstructing the path of the solicited person, using abusive language, following the solicited person, physically approaching the solicited person in a group of two or more, and continuing the solicit the person.
Solicitation of a captive audience prohibited	Section 3 prohibits solicitation of a captive audience whether at pay phones, automated banking machines, public toilets, or transit stops. Section 3 (5) also prohibits solicitation of a person in a vehicle while they are stopped at a traffic light or stop sign.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov71-3.htm

S.B.C 2004, c. 75 (In force January 27, 2005

Bill 72 **Trespass Amendment Act, 2004**

Sponsored by Attorney General and Minister Responsible for Treaty Negotiations

The *Trespass Amendment Act, 2004* is companion legislation to the Safe Streets Act which creates new offences in relation to private property.

Definition	Section 1 re-enacts the definition of "owner", in relation to land, as a person registered in the land title office as the owner of the estate. The change in definition limits the requirement of s. 3 of the Trespass Act to build and maintain lawful fences in rural areas to the fee simple owner of the property.
Trespass prohibited	Section 2 repeals s. 4 of the *Trespass Act* to make it an offence to enter a premises when entry is prohibited, engaging in activity when on or in premises when the activity is prohibited, not leaving premises, stopping an activity when directed to so and re-entering a premises after being directed to leave or resuming an activity on or in premises after being directed to stop.
Methods of giving or posting notice	Section 3 repeals s. 5 of the *Trespass Act* to establish methods of giving notice of enclosed land, prohibiting entry to premises and prohibiting an activity on premises. Section 3 also establishes on offence of removing, altering or defacing a sign that gives notice.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov72-3.htm

S.B.C 2004 c. 73 (In force January 2, 2005)

Bill 73 **Freedom of Information and Protection of Privacy Amendment Act, 2004**

Sponsored by the Minister of Management Services

The *Freedom of Information and Protection of Privacy Act, 2004* provides the public with a legislated right of access to government records, and prohibits the unauthorized collection, use or disclosure of personal information by public bodies. The Act applies to provincial government public bodies, local public bodies, such as local governments, universities, colleges and school boards, hospitals and health boards, and designated self-governing bodies of professional organizations

Protection of personal information	Section 2 makes a number of amendments to s.30 to 30.4 of the *Freedom of Information and Protection of Privacy Act* including: • establishing a general rule requiring public bodies to maintain their personal information storage in Canada and restricting access to that storage to access from within Canada • requiring notice to be given to the minister responsible for the administration of the Act if unauthorized disclosure of personal information is sought by an authority in a foreign jurisdiction • protecting employees who comply with the proposed notice obligation under s. 30.2
Application to employees and others	Section 3 makes restrictions on disclosure and use of personal information apply to public body employees, persons who provide service to public bodies, their employees and to other individuals and corporations that are related to a service provider
Disclosure inside or outside Canada	Section 4 replaces the current s. 33 (which sets out the purposes for which disclosure of personal information may be made) with sections establishing separate restrictions on when disclosure of personal information may be made outside of Canada.
Authority of the Information and Privacy Commissioner	Section 6 clarifies the authority of the Information and Privacy Commissioner to investigate complaints of improper disclosure by employees, service providers and employees and associates of service providers.
Consequential Amendments	Section 12 updates a cross reference to the *Assessment Act* as a consequence of the amendments to the *Freedom of information and Protection of Privacy Act.*

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov73-3.htm

S.B.C 2004, c. 64 (In force October 21, 2004)

Bill 75 **Transportation Statutes Amendment Act, 2004**

Sponsored by the Minister of Transportation

The *Transportation Statutes Amendment Act, 2004* makes a number of changes related to construction and funding of transit projects in the Lower Mainland.

Changes to the *Greater Vancouver Transportation Authority Act*

Section 4 makes a number of amendments to s. 6 of the *Greater Vancouver Transportation Authority Act* including:

- authorizing the authority to raise revenues by means of designated tolls;
- providing the authority with bylaw making powers in relation to designated projects;
- empowering the authority to expropriate land for the use and benefit of a subsidiary in carrying out the authority's purposes in relation to RAV, the Fraser River Crossing project or the Coquitlam Line (C Line) rapid transit project;
- empowering the authority to transfer expropriated land to the Vancouver International Airport Authority for the authority's purposes in relation to RAV.

Designated Tolls

A number of changes are made respecting tolls, including:

- Section 6 imposes an obligation on the authority to consult with the public, municipalities and other affected organizations before assessing a designated toll or making a bylaw respecting the setting of designated tolls.
- Section 7 amends s.16 to permit the authority, by resolution of 2/3 of its members, to omit the requirement for Greater Vancouver Regional District ratification of a bylaw assessing a designated toll if the increase is necessary for the authority to meet its debt obligations
- Section 14 amends s. 46 authorizing the Lieutenant Governor in Council to make regulations requiring payment of designated tolls and respecting their collection
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Parking tax

Section 11 adds and amends definitions of terms used in s. 30 of *Greater Vancouver Transportation Authority Act*. This section also authorizes the assessment commissioner under the *Assessment Authority Act* to enter into an agreement with the GVTA in relation to a parking site roll.

Power to exempt from tax

Section 9 clarifies that the exemptions from taxation provided by ss. 130 to 132 of the *School Act* apply only in relation to property value taxes under s. 25 of the *Greater Vancouver Transportation Authority Act*.

Bill 75

Section 12 amends s. 34 of the *Greater Vancouver Transportation Authority Act*, clarifying that the Lieutenant Governor in Council's authority under the section to exempt land and improvements from taxation extends to anything defined as a rail transportation system

Municipalities Enabling and Validating Act (No. 3)

Section 16 adds s. 16 to the *Municipalities Enabling and Validating Act (No. 3)*, enabling specified municipalities to enter into an agreement with the authority in relation to the Fraser River Crossing project even through some provisions of that agreement will limit the municipalities' future legislative authority.

Section 16 also adds s. 17 to the *Municipalities Enabling and Validating Act (No. 3)*, enabling the municipalities of Richmond and Vancouver to enter into an agreement with the Greater Vancouver Transportation Authority that establishes processes, in relation to building and land use for the purposes of the Richmond-Airport-Vancouver rapid transit project, that apply instead of those provided in the *Community Charter*, the *Local Government Act* or *the Vancouver Charter*.

http://www.legis.gov.bc.ca/37th5th/3rd_read/gov75-3.htm

S.B.C 2004 c. 72 Sections 9, 11 & 19-24 effective October 21, 2004;
Sections 1-8, 10 & 12-18 effective November 19, 2004

PART C - Index of Amendments to Local Government Legislation

Affected Act	Section		Amending Bill	
Community Charter	s.33	[reference update; *Expropriation Amendment Act*; consequential	**67**	(s. 23)
	s. 35	[reference update; *Transportation Act*; consequential]	**47**	(s. 96)
	s. 36	[reference update; *Transportation Act*; consequential]	**47**	(s. 96)
	s. 40	[reference update; public highways; *Transportation Act*; consequential]	**47**	(s. 97)
	s. 41	[reference update; *Transportation Act*; consequential]	**47**	(s. 96)
	s. 46	[limitation of liability; consequential]	**47**	(s. 98)
	s. 50	[reference update; *Expropriation Amendment Act*; consequential]	**67**	(s. 23)
	s. 57	[reference update; *Land Title and Survey Authority Act*; consequential	**68**	(s.49)
	s. 155	[delegation of hearing and other proceedings by bylaw or resolution]	**36**	(s. 2)
	s. 180	[reference updates; *Environmental Management Act*]	**36**	(s. 3)
	s. 189	[borrowing between reserve funds]	**36**	(s. 4)
	s. 194	[terms and conditions for payment of municipal fees]	**36**	(s. 5)
	s. 220	[permissive tax eligibility for community care facilities]	**74**	(s. 1)
	s. 220	[statutory tax exemption; consequential]	**3**	(s. 82)
	s. 221.1	[grandparented dust and particulate matter eliminator exemptions]	**6**	(s. 1)
	s. 224	[permissive tax eligibility for community care facilities]	**74**	(s. 2)
	s. 224	[permissive tax eligibility for community care facilities]	**74**	(s. 3)
	s. 225	[property tax exemption; consequential]	**3**	(s. 83)
	s. 1(sched.)	[updated definition; consequential]	**47**	(s. 99)

Heritage Conservation Act	s. 32	[reference update; *Land Title and Survey Authority Act*]	**68**	(s.53)
Islands Trust	s. 29	[authority under *Real Estate Development Marketing Act*; consequential]	**42**	(s. 56)
	s. 34.1	[reference update and approval required; *Environmental Management Act*; consequential]	**13**	(s. 19)
Land Title Act	s. 219	[delegation of minister's powers ; consequential]	**68**	(s. 106)
Local Government	s. 12	[repealed; consequential]	**5**	(s. 27)
	s. 266.2	[correction; regional district bylaw]	**54**	(s. 25)
	s. 287	[updated definition; consequential]	**3**	(s. 87)
	s. 312	[reference update; *Expropriation Amendment Act*; consequential]	**67**	(s. 28)
	s. 420	[reference correction; *Land Title Act*]	**36**	(s. 10)
	s. 420	[reference update; *Land Title and Survey Authority Act*; consequential]	**68**	(s.147)
	s. 424	[reference update; *Land Title and Survey Authority Act*; consequential]	**68**	(s. 149)
	s. 424	[reference update; *Land Title and Survey Authority Act*; consequential]	**68**	(s. 151)
	s. 551	[reference update; *Transportation Act*; consequential]	**47**	(s. 126)
	s. 693	[application of *Administrative Tribunals Act* and limitation of liability; consequential]	**56**	(s. 111)
	s. 733	[reference update; *Land Title and Survey Authority Act*; consequential]	**68**	(s. 150)
	s. 733	[reference update; *Land Title and Survey Authority Act*; consequential]	**68**	(s.152)
	s. 749	[reference update; *Expropriation Amendment Act*, consequential]	**67**	(s. 29)
	s. 797.1	[repealed; consequential]	**3**	(s. 88)
	s. 800.1	[taxes for administrative-type services and participation in administration]	**36**	(s. 11)
	s. 800.2	[cost apportionment of administrative-type services]	**36**	(s. 12)
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	administrative-type services]		
s. 905	[reference update; *Land Title and Survey Authority Act*]	**68**	(s. 153)
s. 908	[reference update; *Transportation Act*; consequential]	**47**	(s. 126)
s. 910	[bylaw authority in relation to flood plains]	**54**	(s. 26)
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s. 911	[terminology update]	**36**	(s. 14)
s. 924	[reference update; *Transportation Act*; consequential]	**47**	(s. 126)
s. 924	[reference update; zoning bylaws and controlled access highways; *Transportation Act*; consequential]	**47**	(s. 127)
s. 927	[reference update; *Land Title and Survey Authority Act*]	**68**	(s.154)
s. 933	[ability to waive the exemption for development cost charges and set a higher threshold]	**36**	(s. 15)
s. 937.3	[ability to waive the exemption for school site acquisition charges]	**36**	(s. 16)
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s. 941	[reference and terminology update]	**36**	(s. 17)
s. 941.1	[cross reference and terminology update]	**36**	(s. 18)
s. 946	[reference update; *Agricultural Land Commission Act*]	**15**	(s. 29)
s. 946.1	[reference update; *Environmental Management Act*; consequential]	**13**	(s. 21)
s. 946.2	[reference update and approval required; *Environmental Management Act*; consequential]	**13**	(s. 22)
s. 966	[reference update; zoning bylaws and controlled access highways; *Transportation Act*; consequential]	**47**	(s. 128)
s. 976	[reference update; *Land Title and Survey Authority Act*; consequential]	**68**	(s.155)
s. 996	[reference update; *Land Title and Survey Authority Act*; consequential]	**68**	(s.148)

Ministry of Lands Parks and Housing Act	s. 8.1	[reference repeal; *Land Title and Survey Authority Act*; consequential]	**68**	(s. 156)
Mountain Resort Associations	s. 6	[reference repeal and addition of definition; consequential]	**32**	(s. 24)
	s. 9	[reference update; *Land Title and Survey Authority Act*]	**68**	(s.160)
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	s. 1	[reference repeal; consequential]	**31**	(s. 9)
	s. 11	[reference repeal; consequential]	**26**	(s. 23)
	s. 25	[reference repeal; consequential]	**31**	(s. 9)
Municipalities Enabling and Validating (No. 3)	s. 13	[exemption regulations under *Local Government Act* and *Community Charter* apply; consequential]	**8**	(s.8)
	s. 14	[validation of Whistler bylaws respecting Nita Lake development]	**54**	(s. 33)
	s. 15	[validation of flood plain bylaws]	**54**	(s. 33)
	s. 15	[reference correction]	**74**	(s. 19)
	s. 16	[Fraser River Crossing project]	**75**	(s.16)
	s.17	[Richmond-Airport-Vancouver rapid – transit project]	**75**	(s.16)
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	s. 2	[repeal of the *Greater Nanaimo Water District Act*]	**31**	(s. 2)
	s. 3	[transfer of service, assets and liabilities of the water district]	**31**	(s. 3)
	s. 4	[changes to Nanaimo's water supply service]	**31**	(s. 4)
	s. 5	[body to advise Nanaimo on water supply service]	**31**	(s. 5)
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Ports Property Tax	s. 5	[compensation to local governments]	**8**	(s. 5)
Vancouver Charter	s. 2	[addition of definition; registered owner]	**36**	(s. 19)
	s. 2.1	[exemption regulations under *Community Charter* apply; consequential]	**8**	(s. 9)
	s. 2.1	[definitions under *Community Charter* and *Local Government Act* apply]	**74**	(s.38)
	s. 289	[reference update; *Transportation Act*; consequential]	**47**	(s. 160)
	s. 291A	[reference update; *Land Title and Survey Authority Act*; consequential]	**68**	(s. 164)
	s. 317	[reference update; *Passenger Transportation Act*; consequential]	**30**	(s. 78)
	s. 317	[reference update; *Transportation Act*; consequential]	**47**	(s. 161)
	s. 319	[fighting in public places]	**54**	(s. 47)
	The heading to Part XVI is repealed and replaced with Part XVI – Cemeteries or Related Property		**3**	(s. 90)
	s. 331	[mausoleums and columbariums; consequential]	**3**	(s. 91)
	s. 332	[repealed; consequential]	**3**	(s. 92)
	s. 336D	[reference update; *Land Title and Survey Authority Act*; consequential]	**68**	(s.165)
	s. 396	[tax exemption; consequential]	**3**	(s. 93)
	s. 396	[charitable property tax exemptions; charities leasing from charities]	**36**	(s. 20)
	s. 446	[reference update; *Land Title and Survey Authority Act*; consequential]	**68**	(s.166)
	s. 484	[repealed; consequential]	**3**	(s. 94)
	s. 523D	[ability to waive the exemption for development cost charges]	**36**	(s. 21)
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	s. 565.2	[reference update; *Land Title and Survey Authority Act*; consequential]	**68**	(s.167)
	s. 571B	[reference update and approval required; *Environmental Management Act*; consequential]	**13**	(s. 25)
	s. 572	[Board of Variance size]	**36**	(s. 22)
	s.601	[reference update; *Land Title and Survey*	**68**	(s.168)

		Authority Act; consequential]		
	s.613	[reference update; consequential]	**67**	(s.37)
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